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	NSCE-00	OIC-02	OMB-01	PA-01	PM-02	PRS-01	P-01
	SNP-00	SP-00	SS-00	TRSE-00	T-01	USIE-00	/046W
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FM AMEMBASSY DAR ES SALAAM
TO SECSTATE WASHDC IMMEDIATE 9658
AMEMBASSY KIGALI IMMEDIATE
INFO AMEMBASSY PARIS
AMEMBASSY ADDIS ABABA
AMEMBASSY BONN
AMEMBASSY BRUSSELS
AMEMBASSY BUJUMBURA
AMEMBASSY HARARE
AMEMBASSY KAMPALA
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AMEMBASSY NAIROBI
AMEMBASSY DAKAR
AMEMBASSY ROME
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E.O. 12356: DECL: OADR
TAGS: PREL, AORC, OAU, MOPS, RW, TZ
SUBJECT: ARUSHA V: BRIEFING BY RWANDAN FOREIGN MINISTER
- AND TANZANIA MFA REP ON DECEMBER 1 AND 2

REF: DAR ES SALAAM 6903

1. CONFIDENTIAL - ENTIRE TEXT.
2. SUMMARY: FOLLOWING SUPPLEMENTS REFTEL AND PROVIDES
ADDITIONAL DETAILS ON BRIEFINGS GIVEN OBSERVERS IN

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: HARRY R MELONE
DATE/CASE ID: 24 MAR 2006 200103014

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ARUSHA DECEMBER 1 AND 2 ON NOVEMBER 30 MEETING IN DAR ES SALAAM BETWEEN PRESIDENTS HABYARIMANA AND MWINYI AND SUBSEQUENT DEVELOPMENTS. END SUMMARY.

3. AMBASSADOR MPUNGWE, AFRICA/MIDDLE EAST CHIEF IN TANZANIAN MFA, RETURNED TO ARUSHA ON DECEMBER 1 AND BRIEFED THE OBSERVERS ON THE MEETING BETWEEN PRESIDENTS HABYARIMANA AND MWINYI ON NOVEMBER 30 IN DAR ES SALAAM. THE TWO PRESIDENTS MET TETE-A-TETE. THERE WAS A TRANSLATOR FROM THE GOT BUT NO NOTETAKER. THE MEETING LASTED FROM 11:30 TO 2:00. PRESIDENT HABYARIMANA EXPRESSED HIS APPRECIATION FOR TANZANIA'S CONTINUING EFFORTS. HE ASSURED MWINYI OF HIS COMMITMENT TO A NEGOTIATED SETTLEMENT WITH THE RPF THROUGH THE ARUSHA PROCESS. HE ADDED THAT HE WOULD RESPECT AND HONOR ALL PROTOCOLS AND AGREEMENTS REACHED AT ARUSHA, AND THAT HE WOULD PROVIDE A MANDATE AND COMPLETE INSTRUCTIONS TO THE GOR NEGOTIATORS.

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4. PRESIDENT MWINYI, IN URGING HABYARIMANA TO PERSEVERE WITH NEGOTIATIONS, EMPHASIZED THAT IN A TRANSITION OF THIS KIND IT WAS THE RULING PARTY WHICH INEVITABLY HAD TO MAKE MOST OF THE CONCESSIONS. MWINYI NOTED THE NEED TO APPROACH THESE ISSUES WITH A POSITIVE ATTITUDE, TO BE FLEXIBLE AND TO MAKE THE CONCESSIONS REQUIRED WILLINGLY.

5. FOMIN NGULINZIRA BRIEFED THE OBSERVERS IN ARUSHA ON DECEMBER 2. HE STARTED WITH A REVIEW OF PRESIDENT HABYARIMANA'S STATEMENT OF DECEMBER 1. HE NOTED THE GOR'S POSITION OF ACCEPTING A NOMINATED TRANSITIONAL ASSEMBLY, AND SAID DISCUSSIONS WITH THE RPF ON THIS COULD BEGIN IMMEDIATELY. IN DISTRIBUTING CABINET PORTFOLIOS, NGULINZIRA SAID THAT PRESIDENT HABYARIMANA FEELS THERE ARE TWO BLOCS NOW INVOLVED: ONE BLOC IS THE FORCES FOR DEMOCRATIC CHANGE; THE OTHER IS THE FORCES WHICH PREFER THE STATUS QUO. THE PRESIDENT MUST TAKE INTO ACCOUNT THE BALANCE BETWEEN THESE BLOCS. A FORMULA MUST BE DEVISED THAT WILL NOT MARGINALIZE ANY PARTY BUT ALSO WILL PREVENT BLOCKAGES.

6. NGULINZIRA SAID THAT THE PRESIDENT WANTS LOCAL ELECTIONS DURING THE TRANSITION. THIS COULD BE INCLUDED IN A TRANSITION TIMETABLE, PREFERABLY TOWARDS THE END.

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MEANWHILE, IT WOULD BE POSSIBLE TO DEVELOP MECHANISMS UNDER ARTICLE 46 TO REMOVE LOCAL OFFICIALS WHO WERE DEMONSTRABLY INCOMPETENT OR HAD "OTHER PROBLEMS."

7. NGULINZIRA ALSO NOTED THAT SOME SORT OF AMNESTY OR INDEMNIFICATION WOULD BE NEEDED AS PART OF A PROGRAM OF RECONCILIATION. HE REMARKED THAT THE DAR ES SALAAM

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DECLARATION OF FEBRUARY, 1991 ALREADY HAD AN AMNESTY PROVISION FOR THE REFUGEES AND RPF MEMBERS. THIS WOULD HAVE TO BE BROADENED; THOSE PARTIES GOING INTO ELECTIONS SHOULD NOT FEEL PERSONALLY THREATENED BY THE PROSPECT OF CHANGE.

8. HABYARIMANA, NGULINZIRA ADDED, ALSO WANTED THE PEACE AGREEMENT INCORPORATED INTO THE EXISTING LEGAL STRUCTURE, EITHER BY A CONSTITUTIONAL AMENDMENT OR A POPULAR REFERENDUM. THE GOVERNMENT'S THINKING WAS THAT A CONSTITUTIONAL AMENDMENT TO GIVE THE AGREEMENT LEGAL

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FORCE WAS PREFERABLE.

9. NGULINZIRA REMARKED ON THE PRESIDENT'S CONCERN FOR THE CURRENT MEMBERS OF THE CND WHO WOULD LOSE THEIR SEATS DURING THE TRANSITION. THE GOVERNMENT'S PREFERRED METHOD OF PROVIDING FOR THEM WAS TO INTEGRATE THEM INTO THE CIVIL SERVICE.

10. NGULINZIRA ALSO NOTED THAT THE PRESIDENT'S POSITIVE STATEMENT WOULD HELP RESOLVE THE CRISIS OF CONFIDENCE IN KIGALI, AND "EASE THE ATMOSPHERE" SO THAT NEGOTIATIONS COULD MOVE FORWARD. HE SAID HE HOPED THAT THE INTERNAL SECURITY SITUATION WOULD ALSO BE ADDRESSED, NOTING THE RECENT MEETING BETWEEN THE PRIME MINISTER, THE MINISTERS OF DEFENSE, INTERNAL AFFAIRS, AND JUSTICE, THE HEADS OF THE ARMY AND GENDARMERIE, AND POLITICAL PARTY LEADERS. THE DEATH OF A POPULAR CANADIAN PRIEST ON NOVEMBER 29 HAD SHOCKED MANY RWANDESE, ALONG WITH THE RESIGNATION OF

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THE MINISTER OF JUSTICE. THERE WAS HOPE NOW THAT THE PARTIES, YOUTH MOVEMENTS AND SECURITY ORGANIZATIONS WOULD COOPERATE TO RESTORE SECURITY.

11. CONCLUDING, NGULINZIRA SAID HE WOULD MOVE AHEAD WITH DISCUSSIONS FOR A TRANSITIONAL ASSEMBLY (OR TRANSITIONAL LEGISLATIVE COUNCIL). FOR THE BROAD-BASED TRANSITIONAL GOVERNMENT, FURTHER CLARIFICATION AND
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REFINEMENT OF THE CONCEPT OF BLOCS WAS NEEDED. THE GOR DID NOT WANT TO REOPEN THE ARTICLES IN THE PROTOCOL BUT FELT THERE MUST BE FURTHER DISCUSSIONS ON IMPLEMENTATION TO AVOID THE PROBLEMS OF BLOCKAGES ON THE ONE HAND AND MARGINALIZATION ON THE OTHER.

12. IN ANSWERS TO QUESTIONS FROM THE OBSERVERS, NGULINZIRA SAID THAT THE BISHOPS HAD DONE WHAT THEY WERE ASKED TO DO AND THAT THEIR ROLE WAS OVER. THEIR PROPOSAL HAD BEEN ENDORSED BY THE CABINET IN A MANNER THAT WAS "LEGAL AND BINDING," EVEN THOUGH IT HAD LED TO POLITICAL PROBLEMS. HE ALSO SAID THAT THE GOR POSITION ON THE TRANSITIONAL ASSEMBLY WAS TO KEEP THE SAME PROPORTIONS AS IN THE BISHOPS' PROPOSAL FOR THE CABINET. WHEN THE PRESIDENT AND THE PRIME MINISTER WERE INCLUDED, AND MULTIPLYING CABINET SEATS BY THREE, ONE WOULD ALLOT 12 SEATS EACH TO THE MRND AND MDR, 9 EACH TO THE OTHER COALITION PARTIES, 9 FOR THE RPF, AND 9 FOR THE OTHER POLITICAL PARTIES. PARTICIPATING PARTIES WOULD HAVE TO MEET THE FIVE CRITERIA DEVELOPED BY THE BISHOPS.

13. NGULINZIRA ALSO THOUGHT THAT IF PRESIDENT HABYARIMANA SIGNED THE PEACE AGREEMENT, IT SHOULD BE NO PROBLEM TO HAVE THE CND AMEND THE CONSTITUTION TO GIVE IT LEGAL SUPREMACY. HE ENDED BY REMINDING THE OBSERVERS THAT WHAT WAS AGREED IN KIGALI STILL HAD TO BE NEGOTIATED WITH THE RPF, BUT SAID HE THOUGHT THERE WAS A GOOD BASIS FOR DISCUSSIONS AND HE EXPECTED TO RECEIVE HIS DETAILED INSTRUCTIONS BY THE END OF DECEMBER 2.

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14. COMMENT: IN DISCUSSING THE AREAS NOTED ABOVE,
NGULINZIRA SAID HE HOPED THE OBSERVERS WOULD BE ABLE TO
PROVIDE IDEAS AND ADVICE REGARDING SUCH THORNY TOPICS AS
THE CONTRADICTORY REQUIREMENTS FOR AVOIDING BLOCKAGES
WHILE AVOIDING MARGINALIZATION, AMNESTY OR INDEMNITY,
LOCAL ELECTIONS AND REFORM OF LOCAL ADMINISTRATION, THE
DURATION OF THE TRANSITION (NGULINZIRA INDICATED
HABYARIMANA WANTS 12 MONTHS FROM THE DATE THE
TRANSITIONAL GOVERNMENT TAKES OFFICE), THE MODE OF
APPROVAL OR INCORPORATION OF THE PEACE AGREEMENT, AND
THE TREATMENT OF EX-CND MEMBERS. THE OBSERVERS WILL
HOLD ANOTHER MEETING ON DECEMBER 3 TO SHARE IDEAS.

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